

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF NEW YORK

UNITED STATES COURTHOUSE

100 SOUTH CLINTON STREET, P.O. BOX 7345

SYRACUSE, NEW YORK 13261-7345

CHAMBERS OF

DAVID E. PEEBLES

U.S. MAGISTRATE JUDGE

September 13, 2005

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Re: United States v. David Falso
Criminal Action No. 5:05-CR-270 (TJM)

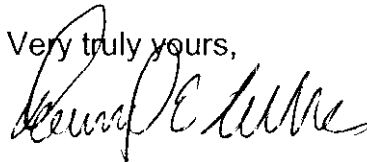
Dear Counsel:

I have obtained from the United States Probation office and enclosed for your review copies of police records, relating to the defendant's 1997 conviction for endangering the welfare of a minor and the underlying conduct giving rise to that conviction. I thought that in fairness, you should each have a copy of those records and be advised that I am considering them in connection with my decision of whether to reconsider the earlier detention order, issued in this matter on June 16, 2005.

In light of this development, and in order to give each of you a fair opportunity to submit any further argument based upon the enclosed records, I will accept letter briefs, not to exceed two pages in length, concerning the enclosed records and their implication, up until Friday, September 16, 2005. Please note that in light of the sensitive nature of the enclosed records they, together with your responses, will be filed under seal.

Thank you for your assistance in this matter.

Very truly yours,



David E. Peebles
U.S. Magistrate Judge

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